ಕಾರ್ಯತಃ ಸುಲಲಿತವಾಗಿರುವಂತೆ ಬದಲಾಯಿಸ ಬಹುದು. ಮಾನ್ಯಸದಸ್ಯರ ಸಲಹೆಗಳನ್ನು ಅಳವಡಿಸಿ ಈ ಮಸೂದೆಯನ್ನು ಸ್ವಲ್ಪ ಪರಿಣಾಮಕಾರಿಯಾಗಿ ಮಾಡಿ ಜಾರಿಗೆತಂದರೆ ಸ್ವಲ್ಪವಾದರೂ ಈ ಪ್ರಯತ್ನ ಸಾರ್ಥಕವಾದೀತೆಂದು ಸೂಚಿಸಿ ಈ ಮಸೂದಾ ಕಾನೂನನ್ನು ಅನುಮೋದಿಸುತ್ತೇನೆ.

Mr. SPEAKER.—Now the Minister will reply.

Dr. R. NAGAN GOWDA.—Sir, more than about ten members have spoken on this and a very large number of points have been raised. I would prefer to answer some of the important points that have been raised at a later stage after the Bill comes back from the Select Committee. Now I request that this consideration motion may be put.

Mr. SPEAKER.—The question is :

"That the Mysore Khadi and Village Industries Bill, 1956, be taken into consderation."

The motion was adopted.

Dr. R. NAGAN GOWDA.—Sir, I move:

"That the Mysore Khadi and Village Industries Bill, 1956, be referred to a Select Committee consisting of the following members with instruction to present the report tomorrow :

Sriyuts :

T. Mariappa
S. R. Nagappa Setty
T. N. Mudalagiri Gowda
B. C. Nanjundiah
D. Devaraja Urs
H. K. Veeranna Gowdh
V. M. Mascarenhas
G. Duggappa
K. Pattabhiraman
J. Mohamed Imam
K. Prabhakar."

Mr. SPEAKER.—The question is :

"That the Mysore Khadi and Village Industries Bill, 1956, be referred to a Select Committee consisting of the following members with instruction to present the report tomorrow :

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T. Mariappa
S. R. Nagappa Setty
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B. C. Nanjundaiya
D. Devaraja Urs
H. K. Veeranna Gowdh
V. M. Mascarenhas
G. Duggappa
K. Pattabhiraman
K. Prabhakar."

The motion uas adopted.

Mr. SPEAKER.—The member in-charge of the Bill, *viz.*, the Minister for Industries and Excise will be also a member of this Committee.

Under rule 57 (1) I appoint the Minister for Law to be the Chairman of the Committee.

MYSORE ESSENTIAL SERVICES MAINTENANCE (AMENDMENT) BILL, 1956.

Motion to consider.

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—Sir, I beg to move :

"That the Mysore Essential Services Maintenance (Amendment) Bill, 1956, be taken into consideration."

While moving this motion, I may bring to the notice of this House that two amendments have been proposed. One is by Messrs D. Venkatesh and B. Madhavachar and I have also tabled another amendment so that a comprehensive view might be taken, balance might be struck, justice done both to the society as well as to labour.

Sir, the House is aware that in 1955 there was an electricity strike. I am giving this instance because the necessity for the legislation of this nature would become patent by reference to that dispute. At that time, there was strike and before that strike there was conciliation and during the

(SRI A. G. RAMACHANDRA RAO.)

course of the strike, the services to the society were interrupted seriously and Government had to employ extra officers, staff and labour as well, to continue the service of that department to the public. Further Sir, even we had to summon the aid of the Military to keep the continuity of the service which entailed a good deal of cost to the State and considerable anxiety among the public was also felt. At that time, a suggestion was made that the strike might be declared illegal. If we had taken that step, the consequences would have been serious both to the labour as well as to the community ; and we advisedly did not take that step. While considering the proposal, we also felt as to how best to avoid the situation at that time and to prevent recurrence of such a contingency in future. We discussed the matter in detail with the Union Government also and after a good deal of discussion and consideration, we have proposed this measure.

Another point which I wish to bring to the notice of this House is that a motion for this Bill was tabled in October Session 1955. Some of my labour friends wanted time to consider and they requested that this may be taken up later so that they might consider the proposition that is before the House. I did not press the motion at that time ; and even from that day, often they have been discussing the amendment. I have been trying my best to show the reasonableness and the necessity for this measure. Some of my labour friends have agreed that there is reason and that there is necessity also. Unfortunately some have not agreed. Even so, Sir, it is incumbent upon this House to provide for continuing the service of a public utility concern, and all attempts to interrupt that service should not be encouraged and at the same time the relief that we think necessary in case of a labour dispute should also be ensured. It is the object of this ment to keep the balance.

Now I may be permitted to speak a few words about the Industrial Disputes Act which is meant to investigate into the causes of disputes and also to bring about settlement. That is provided in the Industrial Disputes Act, 1947, which is a Central Act. Before that, Mysore had the Labour Act and after the extension of the Industrial Disputes Act, the Labour Act was repealed. We have another Act to ensure continuty of the public utility services and it is called the Mysore Essential Services (Maintenance) Act of 1942. By that Act, the Government by a notification declare certain industries to come under the purview of that Act. There is also a declaration that the strike resulting as a result of the dispute should not be resorted to. This amendment is meant only to ensure continuty of the services. I beg to refer to section 5 of the Essential Services Act 1942 which reads as follows.—

"5. Any person engaged in any employment or class of employment to which this Act applies who—

(*a*) disobeys any lawful order given to him in the course of such employment, or

(*b*) without reasonable excuse abandons such employment or absents himself from work, or

(*c*) departs from any area specified in an order under sub-section(1) of section 4 without the consent of the authority making that order,

and any employer of a person engaged in an employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies, who without reasonable cause —

(*i*) discontinues the employment of such person, or

(*ii*) by closing an establishment in which such person is engaged, causes the discontinuance of his employment, is guilty of an offence under this Act."

Now Sir, under (b) which states "without reasonable excuse abandons such employment or absents himself from work.",

the question arose as to whether in a strike which for purposes of argument I concede now is a legal strike,—whether an abandonment of work under the plea of that abandonment is under a legal strike, would be a sufficient excuse. Considerable doubt has been expressed on that point; that if a person goes on a legal strike, the authority cannot compel him to do the work. In order to ensure the continuity of service and in order to clarify that, this amending Bill has been brought up.

Next, Sir, as I instanced the case of the Electrical Department there was failure of conciliation. There was strike and the strike ended in failure. The demand that was put forward by the Labour Union did not end in any relief to the labourers, nor were the demands satisfied. Now with the amendments proposed, the balance will be restored. Abandonment of work even under plea of legal strike, shall not be accepted. He should attend to work and at the same time make it obligatory on the Government to refer such disputes in connection with the strike either to Conciliation Board or to a Tribunal. I want to emphasise this point. On the one hand, powers will be given to Government to continue the services by not accepting the plea of reasonableness, when the plea of reasonableness is that it is a legal strike. On the other hand, since they have no deciding way out of the difficulty, it makes it obligatory on the Government to refer such dispute which ended in a strike either to a Conciliation Board or to a Tribunal.

I believe Sir, the House will readily concede the reasonableness and the necessity of this important measure both in the interest of continuing the essential services to the community as well as protecting the rights of labour. When I referred to the Bill, I have also generally referred to the proposed amendments.

With these few words, I request that the amendments proposed may be considered by the House.

Mr. SPEAKER.—Motion moved:

"That the Mysore Essential Services Maintenance (Amendment) Bill, 1956, be taken into consideration."

Let us continue it tomorrow. It is 5 O'Clock.

Sri A. G. RAMACHANDRA RAO.—We do not want to hustle through this Bill. We want a reasonable support from all sections of the House. A few members may speak on this Bill now and then we can adjourn.

Sri Mulka GOVINDA REDDY (Chitaldrug).—We want to say something on this Bill. But I am not prepared to say anything just now since it is the fag end of the day.

Sri K. S. VASAN (Kolar Gold Fields).—Sir, the Hon'ble Minister has already pointed out that this piece of legislation is very small. But it will have far-reaching consequences. Now that it is before the House for consideration, discussion on the consideration motion may be taken up tomorrow or at a later date.

Mr. SPEAKER.—The suggestion is that we may sit a little late now, so that tomorrow we can save a lot of time for other work.

Sri Mulka GOVINDA REDDY.—If there is no proper opportunity for us to make our observations, we will not take part in this Bill.

Mr. SPEAKER.—You should not non-cooperate with the Government. If you non-cooperate, you will not serve the purpose for which you are here.

Sri Mulka GOVINDA REDDY.—Anyhow, the Government have a steam-roller majority.

Sri A. G. RAMACHANDRA RAO.—Sir, I have given reasons. I shall be glad to give careful consideration for the reasons that they may advance.

Business of the House.

Mr. SPEAKER.—The Hon'ble Leader of the opposition wanted to know the programme for the rest of the Session.

Programme of business for the next five days will be as follows. This has been finalised after consultation with the Government, the Leader of the Opposition and certain other Members.

(MR. SPEAKER.)

Wednesday 26th—

Legislative business (carried over from today)

Resolution regarding ratification of the Constitution (Seventh Amendment) Bill.

Consideration of Finance Enquiry Committee Report.

Thursday 27th—

Voting of Demands for Additional and Supplementary Grants.

If there is time, further consideration of Finance Enquiry Committee Report.

Friday 28th—

Consideration of Reports of the Public Accounts Committee.

Saturday 29th—

Voting of Demands for Excess Grants. Appropriation Bill on Additional Grants. Other Legislative Business.

Monday 1st October—

Appropriation Bill on Excess Grants; Other Legislative Business.

Cut motions on Demands for Additional grants may be sent to the Office before 3 P.M. tomorrow. I may mention that, in respect of the main demands, we have more or less evolved the wholesome practice of debating the demands themselves without moving any cut motions and the same practice could well be adopted in respect of the additional grants also.

The House will now adjourn and meet at Twelve tomorrow.

The House adjourned at Five of the Clock to meet again at Twelve of the Clock the next day Wednesday, the 26th September 1956.

WD 1048—GPB—550—30-11-56